

Application No.: 09/608,512  
Amendment dated: May 19, 2006  
Reply to Office Action of December 19, 2005

### **REMARKS/ARGUMENTS**

Claims 1-26 are pending in the application. Claims 1-26 remain in the application. Claims 7 and 9-18 are rejected under 35 U.S.C. §102(e) as being anticipated by Inoue, U.S. Patent No. 6,851,043 (herein referred to as Inoue). Claims 1-6, 8, and 19-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over Inoue in view of McCrocklin et al., U.S. Patent No. 4,761,733 (herein referred to as McCrocklin).

#### **Claim Rejections under 35 U.S.C. § 102**

Claims 7 and 9-18 are rejected under 35 U.S.C. §102(e) as being anticipated by Inoue. Independent claims 7, 10, and 14 recite a method of detecting bogus branch instructions in a microprocessor instruction pipeline. It is predicted whether a first micro-op is a bogus branch instruction. At least one second micro-op related to the first micro-op is found by looking ahead at the instruction pipeline. If the first micro-op is predicted to be a bogus branch, a signal flag, indicating a bogus branch, is attached to the at least one second micro-op.

Inoue does not teach the claim limitation of “predicting whether a first micro-op is a bogus branch instruction” as claimed in independent claim 7. Independent claims 10 and 14 similarly contain elements relating to predicting bogus branches. Inoue teaches a branch selection/non-selection prediction unit which predicts branches on whether or not they are expected to be selected. This is fundamentally different from applicants’ invention which makes a prediction based on whether or not a branch is expected to be

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bogus. Inoue only deals with the issue of bogus branches after they have been selected. It does not teach a means for predicting when they will occur.

Accordingly, the Inoue reference does not anticipate applicants' claimed invention, and applicants assert that independent claims 7, 10, and 14 are allowable. Applicants further assert that dependent claims 10-13 and 15-18 are allowable as depending from allowable independent claims.

**Claim Rejections under 35 U.S.C. § 103**

Claims 1-6, 8, and 19-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue in view of McCrocklin.

Similar to independent claim 7, independent claims 1 and 19 contain elements involving predicting bogus branches. For the same reasons put forth above, the Inoue reference, either alone or in combination with McCrocklin, does not render applicants' claimed invention obvious. Accordingly, applicants asserts that independent claims 1 and 19 are allowable, and dependent claims 2-6, 8, and 20-26 are also allowable as depending from allowable independent claims.

In light of the arguments above, reconsideration and withdrawal of the rejection of claims 1-26 under U.S.C. § 102(e) and U.S.C. § 103(a) is respectfully requested.

For all the above reasons, the Applicants respectfully submit that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application.

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The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON LLP

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By: 

Jeffrey R. Joseph  
(Reg. No. 54,204)  
Attorney for Intel Corporation

KENYON & KENYON LLP  
333 W. San Carlos Street, Suite 600  
San Jose, CA 95110

Telephone: (408) 975-7500  
Facsimile: (408) 975-7501